

2021 Regular Session

HOUSE BILL NO. 266

BY REPRESENTATIVE BROWN

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled James Geduldick v. Amanda Fagane et al. c/w Ronald L. Courtney and Rebecca L. Morris v. Liberty Mutual Insurance Company et al.

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2020-2021 to be used to
3 pay the consent judgment captioned "James Geduldick vs. Amanda Fagane, State of
4 Louisiana, Highway Department, Michael Fagane, National Automotive Ins. Co.,
5 and Liberty Mutual Mid Atlantic Insurance Co. c/w Ronald L. Courtney and Rebecca
6 L. Morris versus Liberty Mutual Insurance Company, National Automotive
7 Insurance Company, and Amanda V. Fagane" between the state of Louisiana,
8 through the Department of Transportation and Development, and Todd Courtney,
9 Rhonda Courtney Elliot, Ronnie Courtney, and Erin Couto; to provide for certain
10 requirements and limitations; to provide for an effective date; and to provide for
11 related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. The sum of Eighteen Thousand and No/100 (\$18,000) Dollars is hereby
14 payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 for payment of the
15 consent judgment captioned "James Geduldick vs. Amanda Fagane, State of Louisiana,
16 Highway Department, Michael Fagane, National Automotive Ins. Co., and Liberty Mutual
17 Mid Atlantic Insurance Co. c/w Ronald L. Courtney and Rebecca L. Morris versus Liberty
18 Mutual Insurance Company, National Automotive Insurance Company, and Amanda V.
19 Fagane", signed on December 14, 2020, between the state of Louisiana, through the
20 Department of Transportation and Development, and Todd Courtney, Rhonda Courtney

1 Elliot, Ronnie Courtney, and Erin Couto bearing Number 127,673 Div. A c/w 159,367 Div.
2 A on the docket of the Twenty-First Judicial District Court, parish of Livingston, state of
3 Louisiana.

4 Section 2. The judgment may only be paid from this appropriation if it is final and
5 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the
6 judgment. If the provisions of the judgment conflict with the provisions of this Act, the
7 provisions of the judgment shall be controlling. Any other provision of this Act not in
8 conflict with the provisions of the judgment shall control. Payment shall be made only after
9 presentation to the state treasurer of documentation required by the state treasurer. Further,
10 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
11 shall cease to run as of that date.

12 Section 3. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 266 Original

2021 Regular Session

Brown

Appropriates \$18,000 out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment captioned "James Geduldick vs. Amanda Fagane, State of Louisiana, Highway Department, Michael Fagane, National Automotive Ins. Co., and Liberty Mutual Mid Atlantic Insurance Co. c/w Ronald L. Courtney and Rebecca L. Morris versus Liberty Mutual Insurance Company, National Automotive Insurance Company, and Amanda V. Fagane" bearing No. 127,673 Div. A c/w 159,367 Div. A on the docket of the 21st JDC, parish of Livingston.

Proposed law provides requirements for payment from the state treasury. Provides contingencies in case of conflict between judgment and proposed law. Prohibits accrual of interest on the judgment as of the effective date of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.